

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

In re JEFFREY WATSON POTTER,

Debtor,

MARTIN S. FRIEDLANDER,

Appellant,

vs.

No. CIV 08-455 JB/ACT

BANK OF AMERICA, N.A., LA VISTA
HOMEOWNER'S ASSOCIATION,
YVETTE J. GONZALES, Chapter 7 Trustee,
JEFFERY WATSON POTTER,
UNITED STATES TRUSTEE, et al.,

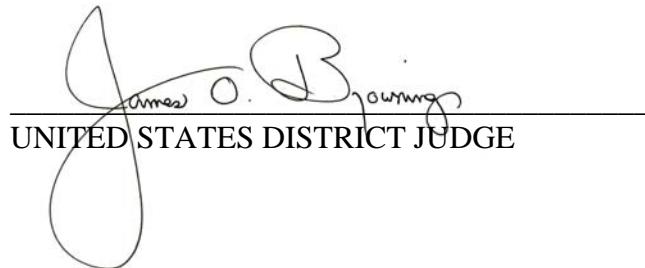
Appellees.

ORDER

THIS MATTER comes before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition, filed November 5, 2008 (Doc. 22). The Honorable Alan C. Torgerson, United States Magistrate Judge, recommendeds that Bank of America's Motion to Dismiss Portions of Appeal be granted and that Martin S. Friedlander's Notice of Appeal as to the Order Granting Bank of America's Motion for Relief from Stay and the Order Granting La Vista Homeowner's Association's Motion for Relief from Stay (Bankruptcy Docs. 659 and 660) be dismissed for lack of jurisdiction. No objections were filed.

The Court has carefully read the recommendation and Judge Torgerson's proposals. The Court agrees with his findings and proposed disposition. The Court will therefore adopt the Magistrate Judge's Proposed Findings and Recommended Disposition will be adopted by the Court.

IT IS THEREFORE ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition is adopted by the Court and Martin S. Friedlander's Notice of Appeal as to the Order Granting Bank of America's Motion for Relief from Stay and the Order Granting La Vista Homeowner's Association's Motion for Relief from Stay [Bankruptcy Docs. 659 and 660] are dismissed with prejudice.



James O. B. Gwynne

UNITED STATES DISTRICT JUDGE